



# PUBLIC DEFENDER



**Michael Breeze,  
Public Defender**

To protect the fundamental rights of all individuals by providing effective legal representation for indigent defendants facing criminal charges, juvenile adjudications, and mental health commitments, when appointed by Superior Court in Yuma County and Yuma County Justice Courts.

## MAJOR FUNCTIONS

### Support Services:

Executes support functions for all divisions. Assignment of staff is made on an as-needed basis.

### Trial Division:

Represents defendants who are charged with crimes and who cannot afford a lawyer. Clients are also represented for matters involving their possible mental commitment.

### Juvenile Division:

Provides legal representation to eligible minors in criminal matters.

### Appeals Division:

Provides legal representation to indigent defendants (1) who have been convicted of criminal offenses at trial, and (2) believe a valid basis exists to challenge the legality of the conviction or sentence.

## 2013-2018 OBJECTIVES

**CR-** Handle 30% of Post Conviction Relief (PCR) cases in house by FY2018.

✓ 33% of PCR cases are kept in house.

**CR-** Handle 50% of appeal cases in house by FY2018.

✓ 83% of appeal cases are kept in house.

**CR-** Handle 75% of juvenile adjudications in house by FY2018.

✓ 85% of juvenile adjudications are handled in house.

**CR-** Close 75% of cases within 3 days of final disposition by FY2018.

✓ 57% of cases closed within 3 days of final disposition.

**CR-** Open 70% of new cases assigned in house within 24 hours of receiving them by FY2018.

✓ 79% of new cases that are assigned in house are opened within 24 hours of receiving it.

**CR-** Complete 75% of cases through adjudication in 180 days or less by FY2018.

✓ 78% of cases through adjudication are completed in 180 days or less.

**CR-** Handle 65% of serious felony cases (Class 1-3) in house by FY2018.

✓ 60% of serious felony cases assigned in house are handled.

**CR-** Retain 70% of non-conflict capital defense cases in house by FY2018.

✓ One Capital case filed.

Strategic Plan: [www.yumacountyaz.gov/strategicplan](http://www.yumacountyaz.gov/strategicplan)



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## PERFORMANCE REPORTING

### Significant Accomplishment:

- ✓ Continue to defend all open capital case(s); currently one.
- ✓ In FY13/14 the Yuma County Public Defender's Office retained approximately 74.52% of all felony cases and 63.61% of serious and complex felonies appointed.

### Performance Measure Actuals & Benchmark -Public Defender

The following measures are departmental priorities identified in the County-wide Strategic Plan:

Department Goal: Measure:	Target/Benchmark				
	FY2014	FY2015	FY2016	FY2017	FY2018
To continuously search out ways to improve efficiency and reduce taxpayer costs.					
% of PCR cases kept in house.	33%	26%	27%	28%	30%
% of appeal cases kept in house.	83%	35%	40%	45%	50%
% of juvenile adjudication cases kept in house.	85%	55%	60%	65%	75%
% of cases closed within 3 days of final disposition.	57%	60%	65%	70%	75%
% of opened new cases that are assigned in house within 24 hours of receiving it.	79%	72%	75%	78%	80%
% of cases adjudicated within 180 days.	78%	68%	70%	72%	75%
% of serious felony cases assigned in house.	60%	71%	72%	73%	75%
	One				
	capital				
% of non-conflict capital defense cases kept in house.	case	55%	60%	65%	75%

## AUTHORIZED FULL TIME EQUIVALENT

Authorized Positions by Major Function				
	2012-13	2013-14	2014-15	2015-16
<b>Public Defender:</b>				
Defender	1.00	1.00	1.00	1.00
Staff Attorneys	10.00	10.00	10.00	10.00
Capital Defense Attorneys	1.00	1.00	1.00	1.00
Appellate Attorneys	1.00	1.00	1.00	1.00
Support	11.00	11.00	11.00	11.00
<b>Total</b>	<b>24.00</b>	<b>24.00</b>	<b>24.00</b>	<b>24.00</b>

The department requested one Legal Secretary II position and one Attorney III position; they requested that the Capital Attorney and Legal Secretary II positions be transferred from Special Revenue to General Fund.

The County Administrator recommends maintaining staffing at the current levels.



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## 2016 ANNUAL BUDGET

**Revenue:** General Fund support is at the level needed for General Fund expenditures. There are no changes in Special Revenue.

**Personnel:** The net increase is the primarily the result of increases in the Health Insurance and Cost of Living Increase line items.

**Supplies and Services:** There are no substantial changes this fiscal year.

**Capital Outlay:** The Capital Outlay budget is for replacement copiers.

**Transfers:** The Transfers are for the Fill The Gap fund.

Public Defender	Actual 2012-13	Actual 2013-14	Budget 2014-15	Estimate 2014-15	Budget 2015-16	% Change
<b>Sources</b>						
General Revenue	\$ 2,201,960	\$ 2,180,730	\$ 2,394,837	\$ 2,286,673	\$ 2,396,624	0.07%
Special Revenue	68,711	62,020	49,221	\$ 60,376	49,221	0.00%
Balance Forward	11,769	(57,180)	(38,345)	\$ (23,370)	6,275	-116.36%
<b>Total Sources</b>	<b>\$ 2,282,440</b>	<b>\$ 2,185,570</b>	<b>\$ 2,405,713</b>	<b>\$ 2,323,679</b>	<b>\$ 2,452,120</b>	<b>1.93%</b>
<b>Uses</b>						
Personnel	1,916,522	1,949,464	1,994,990	1,954,043	2,026,916	1.60%
Supplies & Services	369,275	293,024	371,848	359,132	378,458	1.78%
Capital Outlay	-	5,014	9,243	4,229	19,518	111.17%
Debt Service	-	-	-	-	-	N/A
Reserves & Contingencies	-	-	29,632	-	27,228	-8.11%
<b>Total Uses</b>	<b>\$ 2,285,797</b>	<b>\$ 2,247,502</b>	<b>\$ 2,405,713</b>	<b>\$ 2,317,404</b>	<b>\$ 2,452,120</b>	<b>1.93%</b>
<b>Other Sources &amp; Uses</b>						
Transfers In	23,416	142,903	188,426	136,954	140,167	-25.61%
Transfers Out	(77,239)	(104,341)	(188,426)	(136,954)	(140,167)	-25.61%
<b>Total Other Sources &amp; Uses</b>	<b>\$ (53,823)</b>	<b>\$ 38,562</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>N/A</b>
Other Restricted	<b>\$ (57,180)</b>	<b>\$ (23,370)</b>	<b>\$ -</b>	<b>\$ 6,275</b>	<b>\$ -</b>	<b>N/A</b>

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